UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

~~A/49/824~~
S/1995/14
9 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda items 38, 40 and 79
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING OPERATIONS
IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Permanent Observer for Palestine to the United Nations addressed to the Secretary-General

I am instructed to bring the following urgent and important matter to your attention.

Israel, the occupying Power, continues the illegal policy and practice of building settlements in the occupied Palestinian territory and allowing more Israeli settlers to move to those settlements, in direct and grave violation of article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and in violation of numerous Security Council resolutions, particularly resolutions 446 (1979), 452 (1979) and 465 (1980).

More Palestinian land is being confiscated, present settlements are being expanded, additional units are being completed and even new settlements are being established, especially in and around occupied East Jerusalem. Since September 1994, several announcements that have been made by high-level Israeli officials indicate a worsening in Israel's position on this fundamental issue, and recently Israeli policies and practices have created real crises in this regard.

Such a policy and practice of the occupying Power, in addition to its grave violations of international humanitarian law and Security Council resolutions, is a clear attempt to create additional illegal facts, pre-empting negotiations on a final settlement between the Palestinian and Israeli sides. That, of

course, violates the spirit and letter of the Declaration of Principles signed by the Government of Israel and the Palestine Liberation Organization on 13 September 1993 at Washington, D.C.

We believe that this policy and practice undermines confidence and threatens the peace process as a whole, and that it must be brought to an immediate end in order for the process to continue and succeed. The international community and the Security Council bear a special responsibility in this regard to guarantee the integrity of international law and that of the Council's own resolutions. Moreover, the two co-sponsors of the peace process should fulfil their duties in preserving the integrity of the agreements that have been reached in a way which would guarantee the successful progression of the process towards the achievement of a just and lasting peace. A special responsibility also rests on the shoulders of the United States Administration in preserving the understanding reached with the Israeli Government with regard to Israel's settlement activities and their effect on the provision of the loan guarantees.

Finally, I should like to refer to the letter of the Chairman of the Arab Group for the month of January 1995, addressed to you (A/49/832-S/1995/11) on the same subject, and to call upon the Security Council to formally and urgently deal with the issue of Israeli illegal settlements and to take steps to end the present threat to the peace process. I also wish to call upon you to use your good offices in this regard.

I should be grateful if you would arrange to have the text of this letter distributed as an official document of the General Assembly, under agenda items 38, 40 and 79, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer for Palestine
to the United Nations